



**FOLEY LARDNER**  
ATTORNEYS AT LAW

Attorney Docket No. 018767-0239

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TO: Commissioner of Patents  
Box Patent Application  
Washington, D. C. 20231

**PLANT PATENT APPLICATION TRANSMITTAL**  
**(new non-provisional applications under 37 CFR 1.53(b))**

Transmitted herewith for filing is the plant patent application of:

INVENTOR: **Stephen M. Ackerman, et al.**  
or APPLICATION IDENTIFIER (must include alphanumeric codes if no inventors named)

TITLE: ***Strawberry Plant Named 'PS-2880'***

In connection with this application, the following are enclosed:

**APPLICATION ELEMENTS:**

☒ Specification - Total Pages 14

- Descriptive title of the invention (with Plant's name)
- Cross References to Related Applications
- Statement Regarding Fed Sponsored R & D
- Latin name of the genus and species of the plant claimed
- Variety denomination
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawing
- Detailed Botanical Description
- Claim (only one (1) permitted MPEP 1605)
- Abstract of the Disclosure

5 Sheets of Drawings (color) (two (2) copies required - 37 CFR 1.165(b), 1 black & white copy)

☒ Declaration, Power of Attorney

☒ Executed

☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Continuing Application section completed)

☐ **DELETION OF INVENTOR(S)** - Signed statement attached deleting  
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)  
and 1.33(b).

☐ **Incorporation By Reference** (useable if copy of prior application Declaration being submitted)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is  
supplied under the above section, is considered as being part of the disclosure of the accompanying  
application is hereby incorporated by reference therein.



**ACCOMPANYING APPLICATION PARTS:**

- ☒ Assignment Papers (cover sheet & documents(s)). Assignment to Plant Sciences, Inc. and Berry R&D, Inc.
- ☐ Plant Color Coding Sheet
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS) with PTO-1449. \_\_\_ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
- ☒ Applicant Asserts Small Entity Status (37 CFR and 1.27(c))
- ☐ Certified Copy of Priority Documents(s) with Claim of Priority.  
(if foreign priority is claimed)
- ☒ Other: Application Data Sheet

**CORRESPONDENCE ADDRESS:**

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**FEE CALCULATIONS:** (Small entity fees indicated in parentheses.)

- ☒ Plant New Application or Continuing Application Filing Fee of \$530.00 (\$265.00)
- ☒ Assignment Fee \$40.00

**TOTAL FEE: \$305.00**

- ☒ A check in the amount of the above TOTAL FEE is attached.
- ☐ If payment by check is **NOT** enclosed, it is requested that the Patent and Trademark office advise the undersigned of the period of time within which to file the TOTAL FEE.

Respectfully submitted,

Date October 3, 2003

By Richard C. Peet

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